

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

LE-MART McCRAY,

Petitioner,

v.

Case No. 2:18-cv-11058
Honorable Victoria A. Roberts

SHERMAN CAMPBELL,

Respondent.

**OPINION AND ORDER DISMISSING PETITION FOR A WRIT OF HABEAS CORPUS
WITHOUT PREJUDICE AND DENYING A CERTIFICATE OF APPEALABILITY**

Le-Mart McCray filed a pro se petition for a writ of habeas corpus pursuant to 28 U.S.C. § 2254 on April 2, 2018. Petitioner did not pay the required filing fee when he filed his petition, nor did he submit an application to proceed in forma pauperis. *See* 28 U.S.C. § 1914(a); 28 U.S.C. § 1915; Rule 3 of the Rules Governing § 2254 Cases. The Court issued an Order to Correct Deficiency on April 16, 2018, requiring Petitioner to either pay the filing fee or submit a properly completed in forma pauperis application. The order provided that if Petitioner did not submit the fee or IFP application by May 7, 2018, his case could be dismissed.

The time for submitting the filing fee or required information has elapsed and Petitioner has failed to correct the deficiency. Accordingly, the Court **DISMISSES WITHOUT PREJUDICE** the petition for a writ of habeas corpus.

The Court also denies a certificate of appealability because the disposition of the case is not reasonably debatable. *See* 28 U.S.C. § 2253(c)(1)(a); Fed. R. App. P. 22(b).

If Petitioner still desires to pursue habeas relief in this Court he may submit a new habeas petition with payment of the filing fee or an in forma pauperis application.

IT IS SO ORDERED.

S/Victoria A. Roberts
Victoria A. Roberts
United States District Judge

Dated: June 1, 2018